

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Civil No. 12-693

2007 LEXUS IS250
VIN: JTHCK262472014573,

Defendant,

and

JESUS RAMOS-CASTILLO,
NORMA RAMOS,

Claimants.

VERIFIED COMPLAINT FOR FORFEITURE *IN REM*

Plaintiff states:

JURISDICTION AND VENUE

1. This is a civil action *in rem* for forfeiture of Defendant which has been located and will be arrested by execution of a Warrant for Arrest in the District of New Mexico; and during the pendency of this action Defendant, or its equivalent or proceeds thereof, will be subject to the jurisdiction of this Court.

2. The United States District Court for the District of New Mexico has exclusive, original jurisdiction under 28 U.S.C. §§ 1345, 1355 and 1356.

3. Venue is proper under 28 U.S.C. §§ 1355 and 1395.

4. The "res" or Defendant Property which is the subject of this action is a 2007 LEXUS IS250, VIN: JTHCK262472014573 (hereafter "Defendant Vehicle").

PARTIES AND CLAIMANTS

5. The following persons may claim an interest in Defendant Vehicle:
 - (a). Jesus Ramos-Castillo a/k/a Jesus Noe Ramos-Castillo at 108 Santo Nino Paseo Paulina, Espanola, NM 87532 and/or 1336 Arroyo Hondo St SW, Albuquerque, NM 87121, and/or Torrance County Detention Facility, 209 County Road AO49, Estancia, NM 87016, Inmate ID# 65023051, whose attorney is Daniel R. Marlowe, The Marlowe Law Firm, 1322 Paseo de Peralta, Santa Fe, NM 87501;
 - (b). Norma Ramos at 108 Santo Nino Paseo Paulina, Espanola, NM 87532, and/or 1336 Arroyo Hondo St SW, Albuquerque, NM 87121, whose attorney is Daniel R. Marlowe, The Marlowe Law Firm, 1322 Paseo de Peralta, Santa Fe, NM 87501.

STATEMENT OF FACTS

6. In 2009, Drug Enforcement Administration (DEA) Agents received information of Homero Varela's drug trafficking activities. Varela was trafficking multi-kilograms of drugs, including marijuana and cocaine, in the Albuquerque area. Varela's direct source of supply of drugs was based in the Republic of Mexico. Varela used his business enterprise to launder the proceeds from his drug sales. Members of Varela's drug trafficking organization (DTO) were involved in the horse racing industry and utilized horse trailers to smuggle their drugs and conceal or invest the proceeds from their drug sales. Varela at one time also owned an all-terrain vehicle (ATV) retail store.

7. On January 24, 2012, a Grand Jury in the District of New Mexico indicted Homero Varela, Jesus Ramos-Castillo, and other defendants, on charges of Conspiracy to Distribute Controlled Substances, in *United States v. Homero Varela, et.al*, Criminal No. 12cr128 JB.

8. On January 26, 2012, DEA Agents and other federal, state, and local law

enforcement agencies executed ten search warrants in the Albuquerque area. Three locations associated with the defendants were searched, including 215 C.E. Solomon Road, McIntosh, NM, which is a horse training facility, as drugs were being smuggled into the United States using horse trailers.

9. A search warrant was executed at 1336 Arroyo Hondo Street SW, Albuquerque, NM. The residence is associated with Jesus Ramos-Castillo, a member of the Varela DTO. Norma Ramos was present and is believed to be married to Jesus Ramos-Castillo, but not reside at this location.

10. The Defendant Vehicle was seized on January 26, 2012, as facilitating property and/or proceeds of the Varela DTO. The license plate on the vehicle is registered to Jesus Noe Ramos-Castillo.

11. On July 24, 2011, in Court-authorized intercepted conversations during sessions #566, 572 and 574 between Jesus Ramos-Castillo and Varela, the two agreed to meet at a seafood restaurant in order for Varela to supply Ramos-Castillo with what agents believe to be two kilograms of cocaine. At approximately 11:56 am, Ramos-Castillo and Varela met at a restaurant on Coors Blvd in Albuquerque, NM. After the meeting, Ramos-Castillo drove away in the Defendant Vehicle, to his residence at 1336 Arroyo Hondo Street SW, Albuquerque, NM, and Varela followed. Varela drove away approximately 26 minutes after he arrived at Ramos-Castillo's residence on Arroyo Hondo.

12. Ramos-Castillo has no employment history.

13. Norma Ramos has no employment history.

CLAIMS FOR RELIEF

14. Defendant Vehicle is subject to arrest and forfeiture to Plaintiff under 21 U.S.C. § 881(a)(4) because it was used, or intended for use, to transport, or in any manner to facilitate the

transportation, sale, receipt, possession or concealment of illegal controlled substances.

15. Defendant Vehicle is subject to arrest and forfeiture to Plaintiff under 21 U.S.C. § 881(a)(6) because it was furnished, or intended to be furnished, in exchange for an illegal controlled substance, or constitute proceeds traceable to such an exchange, or was used or intended to be used to facilitate a violation of the Controlled Substances Act.

WHEREFORE, Plaintiff seeks arrest of Defendant Vehicle and forfeiture of same to Plaintiff, determination of the validity and priority of claims of the Claimants and any Unknown Claimants to the Defendant Vehicle, costs and expenses of seizure and of this proceeding, and other proper relief.

Respectfully submitted,

KENNETH J. GONZALES
UNITED STATES ATTORNEY



STEPHEN R. KOTZ
CYNTHIA L. WEISMAN
Assistant U.S. Attorneys
P. O. Box 607
Albuquerque, New Mexico 87103

28 U.S.C. § 1746 DECLARATION

I am a Special Agent with the Drug Enforcement Administration who has read the contents of the Complaint for Forfeiture In Rem to which this Declaration is attached; and the statements contained in the complaint are true to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the United States of America that this Declaration is true and correct, except as to matters stated on information and belief, and as to those matters I believe them to be true.

DATED: 06/25/2012

G. Maestas
Gerald Maestas, Special Agent
Drug Enforcement Administration